United States District Court

for the

Northern District of Ohio

Allstates Refractory Contractors, LLC)	
Plaintiff(s) V.))) Civil Action No. 3:21	-cv-01864
Martin J. Walsh, in his official capacity; United States Department of Labor; James Frederick, in his official capacity; Occupational Safety and Health Administration Defendant(s)))))	

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Occupational Health & Safety Administration U.S. Department of Labor 200 Constitution Ave. NW Washington, DC 20210

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney,

whose name and address are: Brett A. Shumate JONES DAY

51 Louisiana Avenue, N.W. Washington, D.C. 20001-2113

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 10/1/2021

SANDY OPACICH, CLERK OF COURT

s/Jessica Hancock

Signature of Clerk or Deputy Clerk

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Civil Action No. 3:21-cv-01864

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

This summons f	for (name of individual and title, if any,		
as received by me on ((date)		
☐ I personally	served the summons on the indiv	vidual at (place)	
		on (date)	; or
☐ I left the sum	nmons at the individual's residen	ace or usual place of abode with (n	ame)
	, a	person of suitable age and discre	tion who resides there,
on (date)	, and mailed a co	opy to the individual's last known	address; or
☐ I served the s	summons on (name of individual)		, who is
designated by 1	aw to accept service of process of	on behalf of (name of organization)	
<u> </u>		on (date)	; or
☐ I returned the	e summons unexecuted because		
My fees are \$		Pursuant to Fed. R. Civ. P. 4(i)(2), mail to Defendant Occupational Sa	
,		<u> </u>	
I declare under	penalty of perjury that this inform	mation is true.	
te:		Server's signo	
			liure
		server's signi	
		Printed name at	

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT FURTHE NORTHERN DISTRICT OF OHIO

Allstates Refractory Contractors, LLC

Plaintiff

Case No.: 3:21-cv-01864-JZ

vs.

Martin J. Walsh, et al.

Defendant(s)

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

I, Mark A. Russell, Jr., a Private Process Server, being duly sworn, depose and say, I have been duly authorized to make service of the documents listed herein in the above entitled case, I am over the age of eighteen years and am not a party to or otherwise interested in this matter.

DOCUMENT(S): Summons In A Civil Action and Complaint for Declaration and Injunctive Relief

SERVE TO: Occupational Health and Safety Administration

SERVICE ADDRESS: U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210

METHOD OF SERVICE: Per COVID-19 service of process protocol. By mailing the documents listed herein to Occupational Health and Safety Administration at U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210 on 10/04/2021 via United States Postal Service, Certified Mail, Return Receipt Requested. Article Number: 7020 1290 0000 9482 1964. Service was delivered on 10/12/2021, per USPS.com - USPS Tracking Results attached.

I declare under penalty of perjury that this information is true.

Executed On

Mark A. Russell, Jr.

Client Ref Number:626165-000001

Job #: 1594494

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70201290000094821964

Remove X

Your item was delivered to an individual at the address at 6:53 am on October 12, 2021 in WASHINGTON, DC 20210.

⊘ Delivered, Left with Individual

October 12, 2021 at 6:53 am WASHINGTON, DC 20210

Get Updates ✓

Text & Email Updates	~
Tracking History	^

October 12, 2021, 6:53 am

Delivered, Left with Individual WASHINGTON, DC 20210

Your item was delivered to an individual at the address at 6:53 am on October 12, 2021 in WASHINGTON, DC 20210.

October 9, 2021, 10:49 am Available for Pickup WASHINGTON, DC 20210

October 9, 2021, 10:49 am Available for Pickup WASHINGTON, DC 20427 October 9, 2021, 9:21 am
Arrived at Post Office
WASHINGTON, DC 20018

October 6, 2021, 8:11 am
Arrived at USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER

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FAQs